



MONTANA FISH AND WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

THE **OUTSIDE** IS IN US ALL.

Meeting Date: August 13, 2020

Agenda Item: Madison River Recreation Petition from Fishing Outfitters Association of Montana

Action Needed: Proposal

Time Needed on Agenda for this Presentation: 15 minutes

Background: The Fishing Outfitters Association of Montana (FOAM) submitted a petition to the Commission on June 18, 2020 for rulemaking related to river recreation on the Madison River. The petition requests the Commission to initiate rulemaking based on the concern that a Madison River recreation management plan could affect outfitting in Montana and FOAM members' livelihoods and well-being. The petition requests the following specific actions to constitute a Madison River Recreation Management Plan: 1) Remove the existing restriction on fishing from a boat in the Quake Lake to Lyons Bridge FAS section; 2) Cap the number of trips issued for commercial use at 2019 or 2020 levels; 3) Prohibit the implementation of any rest-rotation sections for at least 3 years; 4) Establish flex trips for commercial SRP permit holders; 5) Allow for the transfer of guided trips allocated under this system to other outfitters; 6) Establish a tier system as the basis for commercial trip allocation; 7) Establish reporting and user fee requirements for SRP permit holders; 8) Evaluate river use and Management Plan performance every three years; 9) Establish a Commercial Use Working Group; 10) Establish that any recreational user on the Madison River obtain a no-cost, no-limit river use stamp.

Public Involvement Process & Results: While the Fish and Wildlife commission, FWP staff, and external partners share a long history of working on the Madison River, this petition in its entirety has not been formally reviewed and vetted with the public.

Alternatives & Analysis: Pursuant to 2-4-315, MCA, the Commission must either deny the petition or initiate rulemaking on the petition. If the Commission chooses to propose rule language other than what is contained in the petition, the Commission must deny the petition and then propose rule language. In the alternative, if the Commission will choose portions of the petition(s) to adopt/deny, it must be clearly indicated on the record.

Agency Recommendation & Rationale: The Department recommends the Commission propose rule language regarding management of recreational use on the Madison River for public comment, whether based on this petition or not.